

## THE INCORPORATION OF ARCHITECTS.

THE position which the profession holds in public estimation is of serious importance to both parties, as it involves the vitality of the pursuit, and its advancement. The incorporation of the profession has at times been suggested as the most effectual means of amending the anomalous position of architects; and though at one time strongly averse from such a step, I am now disposed to think that it should form a primary object of attainment. There can be little doubt that all incorporations constitute monopolies, less or more exclusive; and it is, therefore, incumbent upon those who advocate their formation that they should show good cause for such a proceeding. But, first, let me correct an impression which, though very general, has, I think, been very hastily adopted,—namely, that monopolies *per se* are contrary to the spirit of the age: so far from this being the case, I do not think that history can adduce any period of equal duration, within which so many monopolies have been constituted, as within the last five-and-twenty years. Monopolies which subserve the advantage of a few at the expense of large portions of the community are justly considered hurtful, and are removed; but those which promote the advantage of the community as well as that of the individuals incorporated, are greatly encouraged. Now, believing as I do, that incorporation upon a *liberal basis* would be highly advantageous both to the public and to the profession, but especially to the former, I am desirous of urging the necessity of its adoption upon the attention of your readers.

In the following outline I have endeavoured to meet all the reasonable suggestions which I have heard from time to time; but of course I do not conceive that all the details are completely worked out, even as far as sketched: they are in fact introduced more for the purpose of giving distinctness to the general features, than for adoption.

I propose that the college should consist of four grades or classes, viz.:—

1st. Graduates, or students, being those who are articled clerks in the office of a practising architect, and who should be required to pass through a certain course of examination at the termination of their apprenticeship, in order that they may yield evidence of the kind of instruction which has been given to them, and of the use they have made of the opportunities afforded them. The period of apprenticeship might be varied in duration, according as the graduate has spent any time either at college or in the workshop; but at least one year of his articles should be occupied as assistant to a clerk of works, for the attainment of that practical knowledge and experience which no office can give. The examination might comprise the mathematics, with especial reference to geometrical form, the equilibrium of arches, hydraulics, and land surveying. The details of construction, including the more abstruse portions of carpentry and stonework, with the strength of materials, building, surveying, and measuring; the getting out of detail drawings in the presence of the examiners, with the history of architecture and its various styles, with their most remarkable characteristics, illustrated by sketches made, on the spur of the moment, from memory.

Having passed through an examination of this kind the graduate would then be admitted into the

2nd class, or the Associates. These would be eligible to be assistants to practising architects either in the office or as clerks of works, or to take private business, under the supervision of a member of the third or fourth class as a consulting architect. The Associates should be required to practise as such for years, and to pass through a less elementary, but more searching practical examination previous to admission into the

3rd class, or the Licentiates, who should be practising architects, with privileges nearly as full as those of the next or highest class; and after years' practice as a Licentiate, they should be advanced into the

4th class, or the Fellows. Every promotion

would, of course, be dependent upon the aspirant having passed through his probation without any imputation upon his professional integrity and competence.

The government of the college, or guild, I propose to vest in a senate elected from the class of Fellows only by the votes of the three superior grades: one senate being elected by the profession throughout Great Britain and Ireland; to be metropolitan, and to have the complete supervision of professional practice in all its details, and provincial senates for London and each district, who should make *ad interim* arrangements, to have force in the intervals of the sitting of the metropolitan senate, and to be affirmed or negatived by that body at its annual meeting: the provincial senates to meet monthly or quarterly, as may be deemed most advisable, and at the most central point of the district; the metropolitan senate to meet annually; to be peripatetic; and no three consecutive meetings to be held within fifty miles of each other.

The Fellows I should emancipate from the fetters of the several Building Acts: they should be at liberty to adopt any form of construction, and any material they might think fit; but they should also be responsible for any accident, thence resulting, which should occur within years of the erection. But should the surveyors under the Building Act see fit, they may require a special meeting of the provincial or metropolitan senate, to be convened; and if the proposed construction is approved by that body, it may be adopted. The Licentiates should be excluded from this great privilege; unless the proposed deviation from prescription be approved of the senate (provincial or metropolitan), when they may be licensed by that body to make use of it. Of course records of the proceedings of the several senates must be preserved, published annually, and a copy deposited in the library of each provincial senate, for the instruction of the profession generally.

The monthly meetings of the provincial senate might be succeeded by meetings of the provincial guild, at which papers on professional subjects should be read and discussed, as at the meetings of the Institute, and of different local societies. The metropolitan senate, by changing its place of meeting in each succeeding year, would bring the heads of the profession into immediate contact with its more outlying members; and the occasion of its meetings might be adopted for the purpose of investigating ancient and modern edifices within an accessible range of the place of meeting.

With a profession thus constituted the public would have some guarantee for the ability and experience of the architect, in all save the artistic department of his practice; and this no system can secure them, until the mode is patented for making poets, &c. to order; but the public will not be in this respect in any worse position than they are now, whilst for scientific and commercial purposes they would be much benefited.

With a profession thus constituted the system would, I think, be highly beneficial: young men would give more attention to the business transacted before them: they would be more on the alert to learn, and improve their opportunities; and knowing that of necessity a certain period must elapse before they can be admitted to practise, they would not be so impatient to engage in competitions, or to open an office, as they are now. On the other hand the principals would feel that, to some extent, their credit was involved in the creditable examination of their pupils, and would, therefore, give them rather more attention than is included in "the run of the office," and would more faithfully discharge their duties towards their adopted nephews.

There is one class who may appear to be excluded from the foregoing arrangements; namely, those who are never articled, but who, after working at the bench or as stonemasons, become clerks of works, and eventually architects. I should be very sorry to offer any insurmountable obstacle to the advancement of such as these, *after they are qualified*, and I think their case can be met by

some modification of the second, or associate class.

I think also that a class might be advantageously constituted to comprise those builders and contractors of high character and ability whom it is desirable to distinguish from the inferior members of the trade; and thus impose a check upon jerry-builders, and "scamp" work; but I feel that I have now trespassed at great length upon your space, and must defer any further observations to some future opportunity. J. B.

## ROYAL INSTITUTE OF ARCHITECTS IN IRELAND.

THE annual general meeting was held on the 26th November, Mr. G. W. Papworth in the chair. A resolution was passed deploring the loss of one of the late vice-presidents, Mr. W. Farrell.

The following officers were elected for the session 1851-52:—President—Marquess of Clanricarde. Vice-Presidents—Sir T. Deane, Messrs. Owen and Wilkinson. Secretaries—Messrs. P. Neville and James Owen. Treasurer—Mr. William Murray. Auditors—Messrs. Nathaniel Montgomery and Alexander Tate. Council—Messrs. J. Welland, P. Byrne, G. Papworth, F. V. Clarendon, A. Denny, J. Paine, and C. Lawson.

## HOUSE AGENTS' CHARGES.

TROLLOPE AND OTHERS v. HOEKING: IN WEST-MINSTER COUNTY COURT.

The plaintiffs in this case are the well-known house agents in Parliament-street, and they have a branch office in Grosvenor-street, Eaton-square. They sued the defendant for 10l. 10s. for commission, for letting a house in Eccleston-square.

Mr. Pollock, counsel for plaintiffs, stated, that he believed there was not much dispute between the parties on the facts of the case, but that the defendant had made a mistake as to his liability. The plaintiffs were house agents, and the defendant was owner of No. 66, Eccleston-square, and wanted to let the house. Messrs. Trollope, who were concerned for Mr. Cubitt and others in letting houses in that neighbourhood, had a general commission from Mr. Cubitt for letting his houses. They (plaintiffs) at first thought the house was Mr. Cubitt's, but afterwards found it belonged to the defendant; but Mr. Dangar, the builder, had authority from that gentleman to let the house, and employed the plaintiffs to find a tenant. The defendant was liable for the employment by his agent, and, in fact, had written a letter in February, 1851, which amounted to an admission of his liability; for although he denied being liable to commission, he authorised Mr. Dangar to pay what was right. The plaintiffs gave a card to view the house to a lady named Balfour, whose husband ultimately took the house, and although, after the introduction of Mr. Balfour by the plaintiffs, Mr. Hoeking, or his agent, Mr. Dangar settled the terms; yet the plaintiffs were not to lose their commission, although the house was let behind their backs. As to the commission, he would call as witnesses some of the most respectable house agents in London, who would prove that the general custom of house agents was to charge 5 per cent. commission on one year's rent in every case where they had been the means in any way of introducing parties who afterwards took a house, although they might not have any trouble about negotiating the terms. It had been laid down by Beal, Chief Justice, that "if there were a general custom, the employment was to be considered according to the custom." He cited the cases of *I Carrington and Payne*, 892; *Rainey v. Vernon*, 9 Car. & Payne, 559; *Robins v. Burke*, Law Times, 1845; in all which cases the plaintiffs, who were house or land agents, had recovered full commission, although the property had been let by private contract, or sold before the time advertised for sale. He therefore had no doubt his Honour would give judgment for the plaintiffs for the amount they claimed.

Several witnesses were called on the part of plaintiffs: amongst others, Mr. John White, the manager of Messrs. Trollope's office in Grosvenor-street, who stated that they had a general commission from Mr. Cubitt to let his houses. He remembered that in February 1849, Mr. Balfour was looking out for a house. He gave a card for viewing the house in question, thinking it was one of Mr. Cubitt's. He went to the house, and was referred to Mr. Dangar, and, in consequence, Mr. Dangar called on the following day, and said that he had built the house, and had sold it to Mr. Hoeking, and if let, he would pay the usual commission if they found a tenant. Witnesses had one or two communications with Mr.